

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals  
(may include minor formatting differences from printed original)

*State Of Maine  
120th Legislature*

*First Regular Session*

*Bill Summaries*

*Joint Standing Committee  
on  
State and Local Government*

*August 2001*

**Members:**

*Sen. Peggy A. Pendleton, Chair  
Sen. Edward M. Youngblood  
Sen. Margaret Rotundo*

*Rep. Martha A. Bagley, Chair  
Rep. John F. McDonough  
Rep. Paul R. Hatch  
Rep. Paul J. Lessard  
Rep. Janet L. McLaughlin  
Rep. Susan Kasprzak  
Rep. Eleanor M. Murphy  
Rep. Peter D. Chase  
Rep. Anita P. Haskell  
Rep. Philip Cressey, Jr.*

**Staff:**

*Christopher J. Spruce, Legislative Analyst  
David C. Elliott, Principal Analyst*

*Office of Policy and Legal Analysis  
13 State House Station  
Augusta, ME 04333  
(207) 287-1670*



**Maine State Legislature  
OFFICE OF POLICY AND LEGAL ANALYSIS**

13 State House Station, Augusta, Maine 04333-0013  
Telephone: (207) 287-1670  
Fax: (207) 287-1275

**120th Legislature  
First Regular Session**

**Summary Of Legislation Before The Joint Standing Committees  
August 2001**

Enclosed please find a summary of all bills, resolves, joint study orders, joint resolutions and Constitutional resolutions that were considered by the joint standing select committees of the Maine Legislature this past session. The document is a compilation of bill summaries which describe each bill and relevant amendments, as well as the final action taken. Also included are statistical summaries of bill activity this session for the Legislature and each of its joint standing committees.

The document is organized for convenient reference to information on bills considered by the committees. It is organized by committees and within committees by bill (LD) number. The committee report(s), prime sponsor for each bill and the lead co-sponsor(s), if designated, are listed below each bill title. All adopted amendments are listed by paper number. Two indices, a subject index and a numerical index by LD number are provided for easy reference to bills. They are located at the back of the document. A separate publication, History and Final Disposition of Legislative Documents, may also be helpful in providing information on the disposition of bills. These bill summaries also are available at the Law and Legislative Reference Library and on the Internet ([www.state.me.us/legis/opla](http://www.state.me.us/legis/opla)).

Final action on each bill is noted to the right of the bill title. The abbreviations used for various categories of final action are as follows:

*CARRIED OVER*..... *Bill Carried Over to Second Regular Session*  
*CON RES XXX*..... *Chapter # of Constitutional Resolution passed by both Houses*  
*CONF CMTE UNABLE TO AGREE*..... *Committee of Conference unable to agree; bill died*  
*DIED BETWEEN BODIES*..... *House & Senate disagree; bill died*  
*DIED IN CONCURRENCE*..... *One body accepts ONTP report; the other indefinitely postpones the bill*  
*DIED ON ADJOURNMENT*..... *Action incomplete when session ended; bill died*  
*EMERGENCY*..... *Enacted law takes effect sooner than 90 days*  
*FAILED EMERGENCY ENACTMENT/FINAL PASSAGE*..... *Emergency bill failed to get 2/3 vote*  
*FAILED ENACTMENT/FINAL PASSAGE*..... *Bill failed to get majority vote*  
*FAILED MANDATE ENACTMENT*..... *Bill imposing local mandate failed to get 2/3 vote*  
*NOT PROPERLY BEFORE THE BODY*..... *Ruled out of order by the presiding officers; bill died*  
*INDEF PP*..... *Bill Indefinitely Postponed*  
*ONTP*..... *Ought Not To Pass report accepted*  
*OTP ND*..... *Committee report Ought To Pass In New Draft*  
*OTP ND/NT*..... *Committee report Ought To Pass In New Draft/New Title*  
*P&S XXX*..... *Chapter # of enacted Private & Special Law*  
*PUBLIC XXX*..... *Chapter # of enacted Public Law*  
*RESOLVE XXX*..... *Chapter # of finally passed Resolve*  
*UNSIGNED*..... *Bill held by Governor*  
*VETO SUSTAINED*..... *Legislature failed to override Governor's Veto*

Please note the effective date for all non-emergency legislation enacted in the First Regular Session (unless otherwise specified in a particular law) is **September 21, 2001**.

*David E. Boulter, Director*  
Offices Located in the State House, Rooms 101/107/135

## Joint Standing Committee on State and Local Government

LD 58 proposed to amend the Constitution of Maine to establish the direct popular election of the State's Attorney General beginning in 2002 in the manner currently provided for Senators and Representatives.

**LD 61**                      **RESOLUTION, Proposing an Amendment to the Constitution of Maine to Eliminate the Ability of the Legislature to Pass Legislation Imposing Mandates on Municipalities**                      **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PERKINS	ONTP      MAJ OTP-AM    MIN	

LD 61 proposed to eliminate the ability of the Legislature, by 2/3 majority, to pass legislation imposing mandates on municipalities for which no funding is provided.

**Committee Amendment "A" (H-288)**, which was the minority report, proposed to amend the original resolution by retaining the current language in the Constitution of Maine, Article IX, Section 21 with the exception of the requirement that a 2/3 majority of the Legislature vote to impose mandates on local units of government. The amendment proposed to strike the 2/3 majority and replace it with a 3/4 majority. The amendment also proposed to change the proposed referendum question to reflect this change and to refer to local units of government instead of municipalities.

**LD 63**                      **RESOLUTION, Proposing an Amendment to the Constitution of Maine to Provide 4-year Terms for Senators and Members of the House of Representatives**                      **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LABRECQUE	ONTP	

LD 63 proposed to amend the Constitution of Maine to change Legislators' terms to 4 years following the general election in 2002. Under the proposed bill, the Legislature would meet each year, but the business of the Legislature in the 2nd and 4th years would have been restricted as it is presently in the 2nd year.

**LD 70**                      **An Act to Designate the Second Saturday in September as Maine Youth Field and Stream Day**                      **PUBLIC 68**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DUNLAP CARPENTER	OTP-AM	H-110

## Joint Standing Committee on State and Local Government

LD 70 proposed to designate the 2nd Saturday in September of each year as Youth Field Day and to direct the Governor to issue annually a proclamation inviting and urging the youth of this State to observe that day by participating in outdoor activities.

**Committee Amendment "A" (H-110)** proposed to rename the proposed commemorative day Maine Youth Field and Stream Day and changed the title of the bill to reflect that change. The amendment also proposed to add a fiscal note to the bill.

### *Enacted law summary*

Public Law 2001, chapter 68 designates the 2nd Saturday in September of each year as Maine Youth Field and Stream Day. The Governor is directed to issue annually a proclamation inviting and urging the youth of this State to observe this day by participating in outdoor activities.

**LD 92**

### **An Act to Establish the Washington County Emergency Medical Services Authority**

**P & S 1  
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GOODWIN MICHAUD MH	OTP-AM	H-6

LD 92 proposed to establish the Washington County Emergency Medical Services Authority, which would facilitate the provision of medical services to citizens in Washington County. It proposed to establish a 17-member board of directors. The bill also proposed that the authority be empowered to employ personnel, enter into contracts, hold public hearings, sue and be sued, accept funds, grants and services from federal, state, county and municipal governments or any agency, as well as provide gifts from entities and foundations, and allocate and spend funds to promote the authority. It also proposed to require the authority to prepare an annual budget, follow uniform standards established in Maine law, and make provisions for emergency medical services in the county on a contract basis where new services are to be provided. The bill also proposed to require the authority to implement a countywide subscription membership program and to set and adjust an approved cost-basis schedule for emergency medical services provided by the authority.

**Committee Amendment "A" (H-6)** proposed to make the following changes to the bill.

1. It clarified the Washington County Emergency Medical Services Authority's power to purchase and lease emergency medical services equipment and vehicles.
2. It clarified that the authority is allowed to accept private gifts from individuals.
3. It required that the authority be audited annually.
4. It clarified that debts incurred by the authority do not create any debt liability on the part of the State.

The amendment also proposed to add a fiscal note to the bill.